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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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| In re Patent Application of              | ) | <b>MAIL STOP PCT</b> |
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| Koichi ARAKI et al.                      | ) | Group Art Unit:      |
|  | ) |                      |
| Application No.:                         | ) | Examiner:            |
|  | ) |                      |
| Filed:                                   | ) | Confirmation No.:    |
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| For: PESTICIDAL PYRIDINECARBOXAMIDE      | ) |                      |
| DERIVATIVES                              | ) |                      |
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| National Phase of                        | ) |                      |
| International Appln. No. PCT/EP03/004715 | ) |                      |
| International Filing Date: May 6, 2003   | ) |                      |
| Earliest Priority Date: May 16, 2002     | ) |                      |
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**FIRST INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure as set forth in 37 C.F.R. § 1.56, the accompanying information is being submitted in accordance with 37 C.F.R. §§ 1.97 and 1.98. Applicants request consideration of the documents listed on the accompanying Form PTO-1449. These documents are cited in the English-language International Search Report (copy enclosed), or they are English-language counterparts or abstracts of the cited documents.

Pursuant to 37 C.F.R. § 1.98, a copy of each of the documents cited is enclosed. However, copies of any listed U.S. patents and U.S. patent application publications are not enclosed since it is no longer required according to the July 11, 2003 waiver of the requirement for copies of cited U.S. patents and U.S. patent application publications in national patent applications filed after June 30, 2003 and international applications entering the national stage under 35 U.S.C. § 371 after June 30, 2003.

DE 199 58 166, JP 11 180957 and DE 100 14 006 are not in English. The English-language ISR serves as a brief statement of relevance of these documents. Further, for DE 100 14 006, two Shermolovich et al. published U.S. applications which are counterparts thereof are cited to serve as an English translation. For DE 199 58 166 and JP 11 180957, English-language abstracts are also provided.

This statement and accompanying Form PTO-1449 and documents are being submitted within three (3) months of the filing or entry of the national stage of this application or before the first Office Action on the merits, whichever is later. Since these documents are being filed within the time period set forth in 37 C.F.R. § 1.97(b), no fee or statement is required.

It is respectfully requested that the Examiner consider this statement and cited documents and that an Examiner-initialed copy of the accompanying Form PTO-1449 be returned to the undersigned.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date November 16, 2004

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# **FIRST INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Application Number

Filing Date

First Named Inventor

Koichi ARAKI et al.

Examiner Name

Sheet

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of

1

Attorney Docket Number

033495-017

## **U.S. PATENT DOCUMENTS**

| Examiner Initials | Document Number | Kind Code (if known) | Name of Patentee or Applicant of Cited Document | Issue/Publication Date (MM-DD-YYYY) |
|-------------------|-----------------|----------------------|---|-------------------------------------|
|                   | 2002/0032328    | A1                   | Shermolovich et al.                             | 03-14-2002                          |
|                   | 2004/0167334    | A1                   | Shermolovich et al.                             | 08-26-2004                          |
|                   |                 |                      |   |                                     |
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## **FOREIGN PATENT DOCUMENTS**

| Examiner Initials | Document Number | Kind Code (if known) | Country | Date of Publication (MM-DD-YYYY) | STATUS      |                     |                    |               |      |          |               |
|-------------------|-----------------|----------------------|---------|----------------------------------|-------------|---------------------|--------------------|---------------|------|----------|---------------|
|                   |                 |                      |         |                                  | Translation | Partial Translation | Eng. Lang. Summary | Search Report | IPER | Abstract | Cited in Spec |
|                   | 0 580 374       | A1                   | EP      | 01-26-1994                       |             |                     |                    | X             | X    |          | X             |
|                   | 199 58 166      | A                    | DE      | 12-14-2000                       |             |                     |                    | X             |      | X        |               |
|                   | 11 180957       | A                    | JP      | 07-06-1999                       |             |                     |                    | X             |      | X        |               |
|                   | 100 14 006      | A1                   | DE      | 09-27-2001                       | X           |                     |                    | X             |      |          |               |
|                   | 02/37964        | A1                   | WO      | 05-16-2002                       |             |                     |                    | X             |      |          |               |
|                   |                 |                      |         |                                  |             |                     |                    |               |      |          |               |
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## **NON-PATENT LITERATURE DOCUMENTS**

| Examiner Initials | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. |
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| Examiner Signature | Date Considered |
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with M.P.E.P. § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.